

Montana State Legislature

2013 Session

Additional Documents include:

- * Business Report**
- * Roll Call- attendance**
- * Standing Committee Reports,**
- * Table Bills, Fiscal reports etc.**
- * Roll Call Votes**
- * Witness Statements**
- * Informational items**
- * Visitor Registrations**
- * Any other Documents;**
 - ~ Petitions if any?**
 - ~ Any and all material handed in after the meeting end.**

**The original is on file at the
Montana Historical Society and
may be viewed there.**

BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

HOUSE JUDICIARY COMMITTEE

Date: Wednesday, February 20, 2013
Place: Capitol

Time: 8:00 AM
Room: 137

BILLS and RESOLUTIONS HEARD:

HB 433 - Generally revise laws regarding registration of sexual and violent offenders - Rep. Jesse O'Hara
HB 504 - Revise laws regarding attorneys representing children in abuse and neglect cases - Rep. Kimberly Dudik
HB 505 - Clarify offense of aiding or soliciting suicide - Rep. Krayton Kerns
HB 522 - Prohibit state cooperation with federal officials regarding indefinite detention - Rep. Nicholas Schwaderer

EXECUTIVE ACTION TAKEN:

HB 369	Do pass as amended
HB 385	Do pass as amended
HB 391	Do pass
HB 438	Do pass
HB 459	Do pass
HB 462	Do pass as amended
HB 514	Tabled
HB 515	Do pass

Comments:



REP. Krayton Kerns, Chair

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 2/20/2013

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. JERRY BENNETT, VICE CHAIR	X	
REP. MARGIE MACDONALD, VICE CHAIR	X	
REP. ALAN DOANE	X	
REP. CAROLYN PEASE-LOPEZ	X	
REP. KEITH REGIER	X	
REP. VIRGINIA COURT	X	
REP. CLAYTON FISCUS	X	
REP. BRIDGET SMITH	X	
REP. DENNIS LENZ	X	
REP. JENNY ECK	X	
REP. KIRK WAGONER	X	
REP. SARAH LASZLOFFY	X	
REP. WENDY WARBURTON		exc
REP. ELLIE BOLDMAN HILL	X	
REP. JERRY O'NEIL	X	
REP. JENIFER GURSKY	X	
REP. DAVID HALVORSON	X	
REP. RYAN LYNCH	X	
REP. MARK BLASDEL		exc
REP. KRAYTON KERNS, CHAIR	X	



HOUSE STANDING COMMITTEE REPORT

February 20, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 369** (first reading copy -- white) **do pass as amended.**

Signed: Krayton Kerns
Representative Krayton Kerns, Chair

And, that such amendments read:

1. Title, page 1, line 8.

Following: "COURT;"

Insert: "REQUIRING A PARTY TO PAY DISTRICT COURT FEES UPON
REMOVAL;"

2. Page 1, following line 28.

Insert: "(c) Upon receiving notice of removal, the justices' court, municipal court, city court, or small claims division of a justices' court shall immediately transmit the pleadings and all papers in the action to the clerk of the district court."

3. Page 1, following line 30.

Insert: "(5) A party who files a notice to remove a civil action to district court under this section shall pay all costs and fees of filing the papers in the district court pursuant to 25-1-201."

- END -

Committee Vote:

Yes 17, No 3

Fiscal Note Required __

HB0369001SC.hjk

2-20-13 DC
12:50



HOUSE STANDING COMMITTEE REPORT

February 20, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 385** (first reading copy -- white) **do pass as amended.**

Signed: Krayton Kerns
Representative Krayton Kerns, Chair

And, that such amendments read:

1. Page 3, line 28.

Following: "~~part 4~~"

Insert: ", including but not limited to any of the following activities:

(a) criminal production or manufacture of dangerous drugs as prohibited by 45-9-110;

(b) operation of an unlawful clandestine laboratory as prohibited by 45-9-132;

(c) gang-related activities as prohibited by Title 45, chapter 8, part 4;

(d) unlawful possession of a firearm, explosive, or hazardous or toxic substance; or

(e) any activity that is otherwise prohibited by law"

2. Page 4, line 26.

Following: "rental agreement"

Insert: "immediately"

3. Page 4, line 27.

Strike: "3 days'"

4. Page 4, following line 27.

Insert: "(5) If a tenant violates the provisions of 70-24-321(3) and written notice specifying the violation has been provided to the court, the court shall within 24 hours of receiving notice issue an order for possession in favor of the landlord and a writ of assistance to the county sheriff

Committee Vote:

Yes 13, No 7

Fiscal Note Required __

HB0385001SC.hjk

2-20-13 DC
12:50

to deliver possession to the landlord."
Renumber: subsequent subsections

5. Page 4, line 30.

Strike: "(6)"

Insert: "(7)"

6. Page 5, line 9.

Strike: "20"

Insert: "3 business"

7. Page 5, line 13.

Strike: "20"

Insert: "3 business"

8. Page 5, line 19.

Strike: "5"

Insert: "3 business"

- END -



HOUSE STANDING COMMITTEE REPORT

February 20, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 391** (first reading copy -- white) do pass.

Signed: Krayton Kerns
Representative Krayton Kerns, Chair

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required ☐

HB0391001SC.hjk

DC 2-20-13
12:20



HOUSE STANDING COMMITTEE REPORT

February 20, 2013

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 438** (first reading copy -- white) do pass.

Signed: Krayton Kerns
Representative Krayton Kerns, Chair

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required ☐

HB0438001SC.hjk

HC 2-20-13
12:20



HOUSE STANDING COMMITTEE REPORT

February 20, 2013

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 459** (first reading copy -- white) **do pass.**

Signed: _____

Krayton Kerns
Representative Krayton Kerns, Chair

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required ☐

HB0459001SC.hjk

DC 2-20-13
12:20



HOUSE STANDING COMMITTEE REPORT

February 20, 2013
Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 462** (first reading copy -- white) do pass as amended.

Signed: Krayton Kerns
Representative Krayton Kerns, Chair

And, that such amendments read:

1. Title, page 1, line 8.

Strike: "IMMEDIATE"

2. Page 3, line 24.

Strike: "on passage and approval"

Insert: "July 1, 2013"

- END -

Committee Vote:

Yes 17, No 3

Fiscal Note Required __

HB0462001SC.hjk

2-20-13 DC
12:50

BILL TABLED NOTICE

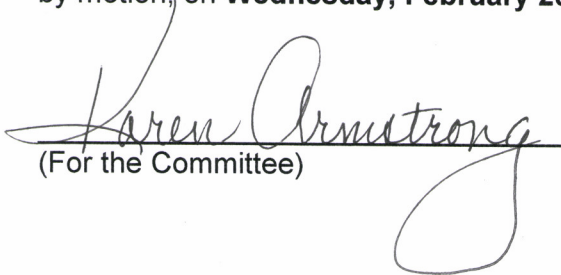
HOUSE JUDICIARY COMMITTEE


The HOUSE JUDICIARY COMMITTEE TABLED

HB 514 - Revise laws related to qualification/evaluation of prospective law enforcement -

Rep. Mary McNally

by motion, on **Wednesday, February 20, 2013.**


(For the Committee)


(For the Chief Clerk of the House)
12:20 / 2-20
(Time) (Date)

February 20, 2013 (11:36am)

Karen Armstrong, Secretary

Phone: 1862



HOUSE STANDING COMMITTEE REPORT

February 20, 2013

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 515** (first reading copy -- white) **do pass.**

Signed: Krayton Kerns

Representative Krayton Kerns, Chair

- END -

Committee Vote:

Yes 11, No 9

Fiscal Note Required ☐

HB0515001SC.hjk

DC 2-20-13

12:20

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 2/26/2013 BILL NO. 385 MOTION NO. amendment
 MOTION: _____

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR		X	
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. KEITH REGIER	X		
REP. VIRGINIA COURT		X	
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK		X	
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY Warburton	X		pr
REP. ELLIE BOLDMAN HILL		X	
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON	X		
REP. RYAN LYNCH		X	
REP. MARK BLASDEL	X		pr
REP. KRAYTON KERNS, CHAIR	X		

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